

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 2008**

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**Introduced by Assembly Member Quirk**

February 20, 2014

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~~An act relating to transportation planning.~~ *An act to amend Section 21094.5.5 of the Public Resources Code, relating to the environment.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 2008, as amended, Quirk. ~~Regional transportation plan: sustainable communities strategy: urban freight.~~ *California Environmental Quality Act: infill projects: goods movement.*

*The California Environmental Quality Act requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. The act also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.*

*The act requires the Office of Planning and Research to prepare, develop, and transmit to the Natural Resources Agency, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of the act by public agencies. The act requires the guidelines to include statewide standards for infill projects to promote specified goals and priorities.*

*This bill would require the guidelines to be revised to include as a statewide standard for infill projects the goal of minimizing the impacts of goods movement on air quality, traffic, and public safety through the provision of dedicated loading and unloading facilities for commercial space.*

*Because a public agency would be required to consider the above goal regarding goods movement for infill projects as required by the guidelines, this bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~Existing law requires certain transportation planning activities by designated regional transportation planning agencies, including development of a regional transportation plan. Certain of these agencies are designated by federal law as metropolitan planning organizations. Existing law requires metropolitan planning organizations to adopt a sustainable communities strategy, subject to specified requirements, as part of a regional transportation plan, which is to be designed to achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region.~~

~~This bill would state the intent of the legislature to enact legislation that would require a sustainable communities strategy to include consideration of greenhouse gas emissions resulting from the delivery of urban freight.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: ~~no~~ yes.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 21094.5.5 of the Public Resources Code
- 2     is amended to read:
- 3     21094.5.5. (a) ~~On or before July 1, 2012, the~~ The Office of
- 4     Planning and Research shall prepare, develop, and transmit to the
- 5     Natural Resources Agency for certification and adoption guidelines
- 6     for the implementation of Section 21094.5 and the Secretary of

1 the Natural Resources Agency, on or before January 1, 2013,  
2 Agency shall certify and adopt the guidelines.

3 (b) The guidelines prepared pursuant to this section shall include  
4 statewide standards for infill projects that may be amended from  
5 time to time and promote all of the following:

6 (1) The implementation of the land use and transportation  
7 policies in the Sustainable Communities and Climate Protection  
8 Act of 2008 (Chapter 728 of the Statutes of 2008).

9 (2) The state planning priorities specified in Section 65041.1  
10 of the Government Code and in the most recently adopted  
11 Environmental Goals and Policy Report issued by the Office of  
12 Planning and Research supporting infill development.

13 (3) The reduction of greenhouse gas emissions under the  
14 California Global Warming Solutions Act of 2006 (Division 25.5  
15 (commencing with Section 38500) of the Health and Safety Code).

16 (4) The reduction in per capita water use pursuant to Section  
17 10608.16 of the Water Code.

18 (5) The creation of a transit village development district  
19 consistent with Section 65460.1 of the Government Code.

20 (6) Substantial energy efficiency improvements, including  
21 improvements to projects related to transportation energy.

22 (7) Protection of public health, including the health of vulnerable  
23 populations from air or water pollution, or soil contamination.

24 (8) *Minimization of the impact of goods movement on air quality,*  
25 *traffic, and public safety through the provision of dedicated loading*  
26 *and unloading facilities for commercial space.*

27 (c) The standards for projects on infill sites shall be updated as  
28 frequently as necessary to ensure the protection of the environment.

29 *SEC. 2. No reimbursement is required by this act pursuant to*  
30 *Section 6 of Article XIII B of the California Constitution because*  
31 *a local agency or school district has the authority to levy service*  
32 *charges, fees, or assessments sufficient to pay for the program or*  
33 *level of service mandated by this act, within the meaning of Section*  
34 *17556 of the Government Code.*

35 ~~SECTION 1. It is the intent of the Legislature to enact~~  
36 ~~legislation that would require a sustainable communities strategy~~  
37 ~~to include consideration of greenhouse gas emissions resulting~~  
38 ~~from the delivery of urban freight.~~

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